



8/30/04

2183

John

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Col, Gerard Henry, Glenn Hooker, Rodney	Examiner:	Aimee J Li
Docket:	CNTR.1568	Art Unit:	2183
Serial No.:	09/545040		
Filing Date:	4/7/2000		
Title:	METHOD AND APPARATUS FOR SPECULATIVELY FORWARDING STOREHIT DATA IN A HIERARCHICAL MANNER		

AMENDMENT UNDER 37 CFR § 1.111

Box Non-Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Introductory Comments

In response to the Official Action dated February 9, 2004 with a shortened statutory period of response set to expire May 9, 2004, please amend the above identified application as set forth below. This amendment is in response to a Notice of Non-Compliant Amendment (37 CFR 1.121) dated August 17, 2004 and is a replacement for the non-compliant amendment. In particular, the status identifier "previously amended" has been changed to "previously presented" with respect to claims 1, 10, 21, 26, 30, and 34.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Gerard M. Col G. Glenn Henry Rodney E. Hooker	Examiner:	Amee J Li
Docket:	CNTR.1568	Art Unit:	2183
Customer No.:	23669		
Serial No.:	09/545040		
Filing Date:	04/07/00		
Title:	METHOD AND APPARATUS FOR SPECULATIVELY FORWARDING STOREHIT DATA IN A HIERARCHICAL MANNER		

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

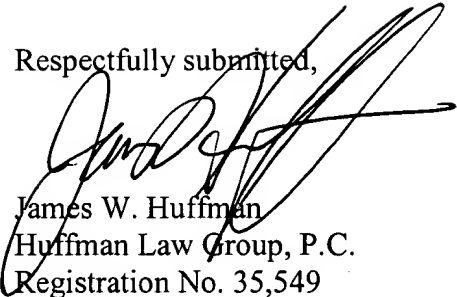
Dear Sir:

Introductory Comments

In response to the Notice of Non-Compliant amendment dated 8/17/2004, with a period of response set to expire 9/17/2004, Applicant is attaching hereto an amendment responsive to the notice of non-compliance.

Applicant earnestly requests the examiner to telephone him at the direct dial number printed below if the examiner has any questions or suggestions concerning the application.

Respectfully submitted,



James W. Huffman
Huffman Law Group, P.C.
Registration No. 35,549
Customer No. 23669
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Date: 8-27-04

"EXPRESS MAIL" mailing label number E0 002522526US Date of Deposit
8-27-04. I hereby certify that this paper is being deposited with the U.S.
Postal Service Express Mail Post Office to Addressee Service under 37 C.F.R. §1.10 on
the date shown above and is addressed to the U.S. Commissioner of Patents and
Trademarks, Alexandria, VA, 22313.

By: Wicki J. Hogan



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 7 May 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 *Fed. Reg.* 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be resubmitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:


- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other: _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other: _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claims 1, 10, 21, 26, 30, and 34 are currently identified as "previously amended" which is not a recognized status identifier. Please correct accordingly. See the attached documents.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION (including a submission for an RCE)**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.


EDDIE CHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100